

Remarks

The Examiner has required an election in the above-identified application as follows:

Group I, Claims 1 – 19, drawn to a panel material, classified in class 428, subclass 60;
and

Group II, Claims 20 - 46, drawn to a method of making a panel material, classified in
class 156, subclass 357.

Thus, the 46 claims pending in this application have been separated into two separate
groups. Applicants hereby elect, with traverse, Group I, claims 1 – 19 for examination
purposes only.

Applicants respectfully traverse on the grounds that the claims are to a certain extent
coextensive, and if not coextensive, interrelated so as to allow examination in a single
application. For example, the Examiner has identified two subclasses, namely, 428/60 (stock
material or miscellaneous articles/beveled, stepped, or skived in thickness) and 156/357
(adhesive bonding/surface bonding means by presence or absence of work to which applied).
The claims in Group I include claims directed to acoustic panels that have reinforced or
densified portions formed by compressing regions of a main body and then rotating the
compressed regions against the main body. (*See, e.g.*, claims 1, 5, 10, and 12). In at least one
embodiment of the claims of Group I, the reinforced portion is bonded to the main body by
applying heat to bond adjacent fibers located in the reinforced portion and the main body.
(*See, e.g.*, claim 14). In Group II, the methods claimed include compressing portions of an
acoustic panel and manipulating or rotating the compressed or densified portion. (*See, e.g.*,
claims 20, 25, 34, 40, and 41). In at least one embodiment claimed in Group II, the acoustic
panel is heated to bond adjacent fibers and maintain the shape of the acoustic panel. (*See,*
e.g., claim 22).

Thus, in view of the above, Applicants submit that no matter which Group is elected, the Examiner would have to include in the examination the art pertaining to each group, *i.e.*, the art in class/subclasses 428/60 (stock material or miscellaneous articles/beveled, stepped, or skived in thickness) and 156/357 (adhesive bonding/surface bonding means by presence or absence of work to which applied).

Additionally, Applicants submit that examination of all of the claims would not pose an undue burden on the Examiner. According to section 803 of the Manual of Patent and Examining Procedure, “[i]f the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.” (*See Manual of Patent Examining Procedure*, Patent Publishing, LLC, Eighth Ed., Rev. 3, August 2005). The outstanding restriction requirement identifies only two class/subclasses (*i.e.*, 428/60 and 156/357) that would be required to treat all the claims on the merits. Accordingly, Applicants submit that it would not pose an undue burden on the Examiner to examine all of the claims pending in the application.

Conclusion

In light of the above, Applicants believe that this application is now in condition for allowance and therefore request favorable consideration.


If any points remain in issue which the Office feels may be best resolved through a personal or telephone interview, the Office is kindly requested to contact the undersigned at the telephone number listed below.

Application No. 10/749,087
Attorney Docket No: 25401A

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 50-0568 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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